IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4993 OF 2004

Goldie Parshotam Sud ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr.Niranjan Mundargi for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent.

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CORAM: A.M.KHANWILKAR, J.

NOVEMBER 23, 2004.

P.C.

1. Heard Counsel for the parties. Perused the record.

2. The Applicant is the owner of the property in respect of which, offence has been registered under the provisions of the M.R.T.P. Act. The premises were in possession of one Haresh Saigal, who was carrying on business in the name and style of Gazebo Restaurant and Bar. As stated earlier,

the Applicant is the owner of the property. Mr.Saste, learned A.P.P. is not in a position to state as to why custodial interrogation of the present Applicant would be necessary, having regard to the nature of offence as registered. The concerned Investigating Officer is present in Court and states that investigation is more or less complete. If it is so, in the peculiar facts and circumstances of the case, the Applicant deserves to be enlarged on anticipatory bail on the following terms:

(a) The Applicant is enlarged on anticipatory bail in connection with C.R.No.386/04 registered with Khar Police Station, on executing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with two local sureties in the like amount.

(b) The Applicant shall report to the concerned Investigating Officer presently for a period of one week from tomorrow i.e. 24th November 2004, daily between 5.00 p.m. and 7.00 p.m. and co-operate with the investigation in

respect of the case in question. Thereafter, the Applicant shall report to the Investigating Officer once in a fortnight on Saturday between 10.00 a.m. and 1.00 p.m.

(c) The Applicant shall not influence the prosecution witnesses or tamper with the prosecution evidence in any manner whatsoever.

(d) The Applicant shall abide by the conditions specified in Section 438 (2) of the Criminal Procedure Code, 1973, as applicable to the State of Maharashtra.

. Application allowed on the above terms.

A.M.KHANWILKAR, J.